

JOHN F. BURY, WSBA No. 4949
TIMOTHY R. FISCHER, WSBA No. 40075
SCOTT A. GINGRAS, WSBA No. 43886
WINSTON & CASHATT, LAWYERS
601 W. Riverside Avenue, Suite 1900
Spokane, WA 99201
Telephone: (509) 838-6131
Facsimile: (509) 838-1416
Attorneys for Plaintiff

Honorable Benjamin H. Settle

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

In Re:

Case No. 3:12-cv-05641-BHS

ROBERT F. BURY,

Plaintiff,

**ORDER GRANTING MOTION TO AMEND
THE FOURTH AMENDED COMPLAINT**

vs.

NCS POWER, INC., et al.,

Defendants.

THIS MATTER having come before the Court on Plaintiff Bury's unopposed Motion and Memorandum to Amend the Fourth Amended Complaint, and the Court having considered the pleadings filed in support of the Motion, the Court grants the Motion and permits the Plaintiff to amend the Fourth Amended Complaint to:

1. Add existing Defendant Wade Au to Plaintiff's existing Second Claim for Relief under RCW 49.52.010, *et seq* (a Washington state law wage claim; and

2. Conform the pleading with the Court's recent Order on Motions for Summary Judgment (ECF #144).

Therefore, the Court grants Plaintiff's unopposed Motion to amend the Fourth Amended Complaint.

1 The Plaintiff shall file an amended Complaint (Fourth Amended Complaint) no later
2 than May 27, 2014.
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4 DATED this 27th day of May, 2014.
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8 BENJAMIN H. SETTLE
9 United States District Judge

10 Presented by:
11 WINSTON & CASHATT, LAWYERS
12 /s/ Timothy R. Fischer
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TIMOTHY R. FISCHER, WSBA No. 40075
Attorneys for Plaintiff